

**TREATY ON INTERNATIONAL COOPERATION IN THE
AREA OF PATENTS**

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(Article 36 and Rule 70 of the PCT)

Applicant's or Agent's File Ref. 41 397.re.sev	FOR FURTHER ACTION	See Notification of Transmittal of the International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. PCT/EP03/12790	International Filing Date (Month/Day/Year) November 15, 2003	Priority Date (Month/Day/Year) December 5, 2002
International Patent Classification (IPC) or National Classification and IPC B21B 31/10		
Applicant SMS DEMAG AKTIENGESELLSCHAFT et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 pages, including this cover sheet.
 - ☐ This report is also accompanied by ANNEXES, i.e., pages of the description, claims, and/or drawings which have been amended and are the basis for this report and/or pages containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of pages.

3. This report contains indications relating to the following items:

- | | | |
|------|-------------------------------------|---|
| I | <input checked="" type="checkbox"/> | Basis of the report |
| II | <input type="checkbox"/> | Priority |
| III | <input type="checkbox"/> | Non-establishment of opinion with regard to novelty, inventive activity, and commercial viability. |
| IV | <input type="checkbox"/> | Lack of unity of invention. |
| V | <input checked="" type="checkbox"/> | Substantiated determination under Rule 66.2 a(ii) with regard to novelty, inventive activity, and commercial viability; citations and explanations supporting such statement. |
| VI | <input type="checkbox"/> | Certain documents cited |
| VII | <input type="checkbox"/> | Certain defects in the international application |
| VIII | <input type="checkbox"/> | Certain observations on the international application |

Date of submission of the petition: June 22, 2004	Date of completion of this report: August 10, 2004
Name and mailing address of the office assigned to perform the preliminary examination: European Patent Office D-80298 Munich Tel: +49 89 2399-0 Tx: 523656 epmu d Fax: +49 89 2399-4465	Authorized Officer: Forciniti, M. Tel: +49 89 2399-7903

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International File No.: **PCT/EP03/12790**

I. Basis of the Report

1. With regard to the **constituent parts** of the international application (*replacement pages which were submitted to the application office in compliance with a request according to Article 14 are considered "originally filed" in the context of this report and are not attached to the report, because they do not contain any changes (Rules 70.16 and 70.17))*):

Specification, pages:

1-10 as originally filed

Claims, Nos.

1-7 as originally filed

Drawings, Pages:

1/7-7/7 as originally filed

2. With respect to the **language**, all the constituent parts marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise cited under this item.

The constituent parts were available or furnished to this Authority in the following language:
which is:

- ☐ the language of a translation furnished for the purpose of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purpose of international preliminary examination (under Rule 55.2 and/or Rule 55.3).

3. With regard to the **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer-readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer-readable form.

- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer-readable form is identical to the written listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
 - ☐ the claims, Nos.:
 - ☐ the drawings, sheets/figures:
5. ☐ This report has been prepared as if (some of) the amendments had not been made, since for the specified reasons they are considered by this Authority to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Any additional remarks:

V. Substantiated determination according to Article 35(2) with respect to novelty, inventive activity, and commercial viability; documents and declarations in support of this determination.

1. Determination

Novelty (N)	Yes:	Claims 1-7
	No:	Claims
Inventive Activity (AI):	Yes:	Claims 1-7
	No:	Claims
Commercial Viability (CV):	Yes:	Claims 1-7
	No:	Claims

2. Documents and Declarations

See attached page.

**INTERNATIONAL PRELIMINARY
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Re Point V

Substantiated determination according to Rule 66.2(a)(ii) with respect to novelty, inventive activity, and commercial viability; documents and declarations in support of this determination.

V.0 The following document is cited:

D1: DE 43 21 663 A

V.1 Document **D1** discloses a:

Rolling mill with several rolling stands (1); with support plates (4), which are provided on the operator side of the stands, can be moved transversely to the roll axes, are equipped for receiving sets of work rolls (2), and border on the mill floor (13); and with pits (8), which are situated on the operator side upstream of each stand, such that the bottom of each pit is equipped (9) for moving out sets of backup rolls (3).

V.2 The object of **Claim 1** thus differs from the mill disclosed in **D1** in that:

The support plates are arranged in a support plate line, which is immediately adjacent to the rolling stands and covers the pits; the support plates are detachably connected with one another; and, to carry out a change of the backup rolls, the support plate line, either in subgroups of interconnected support plates or in its entirety, can be displaced out of the rolling stand area transversely to the roll axes along the pit line to open at least one pit and, if necessary, all of the pits.

The object of **Claim 1** is thus novel (Article 33 (2) PCT).

V.3 The displacement distance of the sets of work rolls to be changed is reduced in a way that is not obvious by the additional features of **V.2**), and this results in a shorter changing time (see also p. 1, line 31, to p. 2, line 15).

The object of **Claim 1** is thus based on inventive activity (Article 33 (3) PCT).

V.4 Dependent **Claims 2 to 7** further develop the object of **Claim 1** and thus likewise satisfy the requirements of the PCT with respect to novelty and inventive activity (Article 33 (2)(3) PCT).

V.5 The object of **Claims 1 to 7** is undoubtedly commercially viable (Article 33 (4) PCT).